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EXPEDITED PROCEDURE <u>UNDER 37 CFR §1.116</u> TECHNOLOGY CENTER 2800

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	Attorney Docket No.
Mu-Tsang Lin, et al.	§	2003-0329 / 24061.70
	§	
Serial No.: 10/613,139	§	Customer No. 42717
	§	
Filed: July 3, 2003	§	Group Art Unit: 2857
•	§	_
For: VIRTUAL ASSISTANT FOR	Š	Examiner: Anthony Gutierrez
SEMICONDUCTOR TOOL	Š	•
MAINTENANCE	š	Confirmation No.: 6821
	٥	~~

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Sir:

I hereby certify that this correspondence (including any listed enclosures) is being facsimile transmitted (571-273-8300) to the United States Patent and Trademark Office on July 13, 2006.

#### **INTERVIEW SUMMARY**

As discussed in more detail below, it is Applicants' understanding (1) that the Office Action mailed on January 26, 2006 has been withdrawn, (2) that the time period for responding to that Office Action has also been withdrawn, (3) that Applicants are not currently subject to any obligation to take action, and (4) that this matter is presently in the hands of Examiner Guiterrez for issuance of a replacement Office Action.

In more detail, Applicants acknowledge receipt of the Office Action mailed on January 26, 2006. Following receipt of this Office Action, the undersigned telephoned Examiner

PAGE 2/4 \* RCVD AT 7/13/2006 12:27:15 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-5/5 \* DNIS:2738300 \* CSID:Haynes and Boone,LLP \* DURATION (mm-ss):01-34

Appl. No. 10/613,139 Interview Summary Attorney Docket No. 2003-0329/24061.70 Customer No. 42717

Guiterrez on February 8, 2006, in order to discuss the Office Action. The undersigned pointed out that the Office Action included a rejection under 35 U.S.C. §102 for anticipation that was clearly improper, because it attempted to combine features from two different prior art embodiments. (This defect in the §102 rejection was discussed in more detail in the remarks of the Response previously filed by Applicants on November 8, 2005). Examiner Guiterrez declined to withdraw the rejection. The undersigned advised Examiner Guiterrez that the undersigned also wished to discuss the rejection with the senior examiner that signed the January 26 Office Action, who is Supervisory Primary Examiner (SPE) Marc Hoff.

Accordingly, the undersigned telephoned SPE Hoff and left voice-mails requesting that SPE Hoff call back. When the undersigned was not able to reach SPE Hoff after several days, the undersigned telephoned Group Director (GD) Arthur Grimley on February 24, 2006, and explained the problem. GD Grimley indicated that he would look at the file and call back. The undersigned placed a follow-up call to GD Grimley on March 7, and SPE Hoff called the undersigned a few minutes later. The undersigned explained the problem to SPE Hoff, who indicated that he needed to discuss the matter with GD Grimley. On March 8, 2006, GD Grimley called the undersigned, and indicated that he and SPE Hoff had decided to withdraw the Office Action dated January 26, 2006.

The six-month period for a response to the January 26 Office Action will expire in a few days, and Applicants have not yet received from the PTO an Interview Summary form or a replacement Office Action. Further, the PAIR system does not reflect any PTO activity since mailing of the Office Action on January 26, 2006. Accordingly, Applicants are filing this Interview Summary in order to document the various telephone conferences that took place between the undersigned and Examiners Guiterrez, Hoff and Grimley. It is Applicants' understanding (1) that the Office Action mailed on January 26, 2006 has been withdrawn, (2) that the time period for responding to that Office Action has also been withdrawn, (3) that Applicants are not currently subject to any obligation to take action, and (4) that this

Appl. No. 10/613,139 Interview Summary Attorney Docket No. 2003-0329/24061.70 Customer No. 42717

# matter is presently in the hands of Examiner Guiterrez for issuance of a replacement Office Action.

Further and favorable consideration of this application is respectfully requested. If the Examiner believes that examination of the present application may be advanced in any way by a telephone conference, the Examiner is invited to telephone the undersigned attorney at 972-739-8647.

Respectfully submitted,

T. Murray Smith

Registration No. 30,222

(972) 739-8647

Date: July 13, 2006

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File: 24061.70

Enclosures: None

R-140780.1